



**IN THE COURT OF II ADDL. DISTRICT & SESSIONS JUDGE,
AT MANDYA.**

Dated this the 12th day of September 2023.

PRESENT

Sri Krishna Prasad Rao K. B.A., LL.B.
II Addl. District & Sessions Judge,
Mandya.

S.C. No.97/2023

Complainant : State by Mandya East Police Station.

(By Learned Public Prosecutor, Mandya)

-Vs-

Accused : Sri Jayashankara J.C.,
S/o Chandrashekara,
Aged about 26 years,
R/at Jayapura Village,
Dudda Hobli, Mandya Taluk.

(By Sri M.S. Kumar, Advocate)

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**ORDERS ON THE BAIL APPLICATION FILED BY THE ACCUSED
UNDER SECTION 439 OF Cr.P.C.**

Accused has filed bail application under Section 439 of Cr.P.C. praying to enlarge him on bail for the offences punishable under Sections 366 and 363 of I.P.C.

2. The learned Public Prosecutor orally objected to this application.

3. Heard the arguments on both sides.

4. Perused the records.

5. The point that arises for my consideration is as follows;

“Whether accused has made out a ground to enlarge him on bail?

6. My answer to the above point is in the ‘**Affirmative**’ for the following:

REASONS

7. Learned counsel for the accused argued that accused has been falsely implicated. He has not committed any offences. Charge-sheet is already filed. Accused is already granted bail in Crl.Misc.No.255/2022, dated 23.03.2022. Prosecution has not alleged any criminal antecedents against the accused person. The accused is resident of address shown in the cause title. Hence, he would be available for investigation and trial. The apprehension of the prosecution can be met with by imposing suitable conditions. Accordingly, I answer the above point in the **Affirmative**.

In the result, I proceed to pass the following :

ORDER

Bail Application filed by the accused under Section 439 of Cr.P.C. is hereby allowed.

The accused is ordered to be enlarged on bail in the above case on executing his personal bond in a sum of Rs.1,00,000/- with a surety for likesum to the satisfaction of this Court on the following conditions;

1. The accused shall not hold out threats to the prosecution witnesses or lure them in any manner.
2. He shall not involve in any criminal activities.
3. He and his surety shall furnish their identity proof.

If accused violates any one of the conditions, the prosecution is at liberty to seek cancellation of bail.

(Typed to my dictation by Stenographer directly on Computer, corrected by me and then pronounced in the open Court on this the **12th Day of September 2023**)

(Krishna Prasad Rao K.)
II Addl. District & Sessions Judge,
Mandya.

